

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 16, 2003**

DIVISION ONE

B162543      Moisan & Fernandez      (Not for Publication)  
                 v.  
                 Agua Dulce Vineyards LLC, et al.

Therefore, let a peremptory writ issue, commanding respondent superior court to vacate its order of October 24, 2002, denying the peremptory challenge pursuant to Code Civil Procedure section 170.6, and directing the Los Angeles Superior Court to transfer Los Angeles Superior Court case No. PC030783W, entitled Agua Dulce Vineyards, LLC. v. SPV Water Company et al., to another judge.

All parties shall bear their own costs.

Ortega, Acting P.J.

We concur:    Vogel (Miriam A.), J.  
                 Mallano, J.

DIVISION TWO

B159119      People      (Not for Publication)  
                 v.  
                 Villanueva

The judgment is affirmed.

Doi Todd, J.

We concur:    Boren, P.J.  
                 Nott, J.

January 16, 2003 (Continued)

## DIVISION TWO (Continued)

B151306 People v. Sosa (Not for Publication)

The judgment is affirmed.

Doi Todd, J.

We concur:   Nott, Acting P.J.  
Doi Todd, J.

[illegible]

The judgment is affirmed.

Doi Todd, J.

We concur:   Nott, Acting P.J.  
Doi Todd, J.

B152094      City of Los Angeles      (Not for Publication)  
v.  
CBI Services, Inc.

The order denying appellant's special motion to strike pursuant to section 425.16 is affirmed. The City shall recover its costs on appeal.

Ashmann-Gerst, J.

We concur:   Nott, Acting P.J.  
Doi Todd, J.

January 16, 2003 (Continued)

## DIVISION TWO (Continued)

B153839      Laczynska      (Not for Publication)  
v.  
Zebroski

The judgment and postjudgment orders are affirmed. Zebroski shall recover his costs on appeal.

Ashmann-Gerst, J.

We concur:   Boren, P.J.  
                      Nott, J.

B139066      The People  
v.  
Fremont Life Insurance Company

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

## DIVISION THREE

B155730      Lien Ping Chen      (Not for Publication)  
v.  
Johnson Su

For that reason, the November 15, 2001, order on defendants' motion to tax costs and plaintiff's motion for attorney's fees is hereby reversed. Costs on appeal to Johnson Su.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

### DIVISION THREE (Continued)

(Not for Publication)

B153141 The Courtyards of West Hollywood Homeowners' Association, Inc.  
v.  
Martin A. Fine

The judgment is affirmed in all respects except its award of attorney's fees and related expenses, and the matter is remanded to the trial court for further proceedings on the issue of such fees and expenses, in accordance with the views expressed herein. Costs on appeal to plaintiff.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

B156010      Kevan Otto      (Not for Publication)  
v.  
Los Angeles Unified School District, et al.

The order denying Otto's motion for section 1021.5 attorney's fees is reversed and the cause is remanded for further proceedings consistent with the views expressed herein. Costs on appeal to Otto.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

B157569 Patrick Z. Bickham (Not for Publication)  
B158759 v.  
William Little, et al.

The judgment is reversed and the cause is remanded for further proceedings consistent with the views expressed herein, including entry of a summary adjudication as to plaintiff's causes of action for breach of contract and negligence. The order awarding Little attorney's fees is affirmed. All parties shall bear their own costs on appeal.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

January 16, 2003 (Continued)

### DIVISION THREE (Continued)

B151821 People (Not for Publication)  
v.  
Woods

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

B159120      People      (Not for Publication)  
v.  
Marsalis S.

The order continuing wardship is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

B158525      People      (Not for Publication)  
v.  
Archuleta

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

### DIVISION THREE (Continued)

[illegible]

The judgment is affirmed. The trial court is ordered to prepare an amended abstract of judgment which omits any reference to the trial court's imposition of a concurrent 25-year-to-life term on count three pursuant to the Three Strike law, and instead reflects that imposition of sentence on count three was stayed pursuant to Penal Code section 654, said stay to become permanent upon appellant's completion of his sentence on count two.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

B151713      Light, et al.  
v.  
City of Hawthorne, et al.

Filed order granting petition for rehearing. Upon the filing of respondents' answer, the matter shall stand submitted.

DIVISION FOUR

Court convened at Loyola Law School at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J. and S. Veverka, Deputy Clerk.

B155287 Knapp v. Schwartz

Argument waived, cause submitted.

DIVISION FOUR (Continued)

B160357     Diolazo, et al.  
              v.  
              Tejani, et al.

Merits:  
Argued by Kathleen Marrero for appellants and by Nathaniel J. Friedman for respondents. Cause submitted.

B154768     City of West Hollywood  
              v.  
              1112 Investment Company, et al.

Merits:  
Argued by T. Peter Pierce for appellant and by Rosario Perry for respondents. Cause submitted.

B153104     Best Diamonds Imports, Inc.  
              v.  
              Lloyd's Insurance

Merits:  
Argued by Daniel J. Cheren for appellant and by Don Willenburg for respondent. Cause submitted.

B153974     Rochin  
              v.  
              Pat Johnson Manufacturing Company et al.

Merits:  
Argued by William K. Pratt for appellant and by Barbara E. Dunn for respondent George Ellis. Cause submitted.

B157241     Mirzaie  
              v.  
              Eisenstein et al.

Merits:  
Argued by T. Matthew Phillips for appellant and by Michael T. O'Callaghan for respondent. Cause submitted.

DIVISION FOUR (Continued)

Court recessed.

Court reconvened at Loyola Law School at 1:30 P.M.

Present: Vogel (C.S.), P.J., Epstein, J., Hastings, J., Curry, J. and S. Veverka, Deputy Clerk.

B152948     Rusheen  
                 v.  
                 Cohen

Merits:

Argued by Robert F. Henry for appellant and by Raul L. Martinez for respondent. Cause submitted.

B160126     Biday.com, Inc., et al.  
                 v.  
                 Spry

Merits:

Argued by Asher A. Levin for appellant and by Barzin Barry Sabahat for respondents. Cause submitted.

B155576     Santa Monica Observer Newspaper, Inc.  
                 v.  
                 City of Santa Monica et al.

Merits:

Argued by Adam J. Telanoff for appellant and by Cara E. Silver for respondents. Cause submitted.

B154978     Watts, et al.  
                 v.  
                 Pacific Window Products, et al.

Merits:

Argued by Christopher P. Blaxland for appellants and by Benjamin L. Crumpacker for respondents. Cause submitted.



## DIVISION FOUR (Continued)

B149870      Martinez, et al.  
v.  
City of Long Beach

Merits:  
Argued by Steven C. Robinson for appellants and by William A. Reidder  
for respondent. Cause submitted.

B155744      Scognamillo  
v.  
Herrick, et al.

Merits:  
Argued by Karen M. Bray for appellants and by Scott D. Dinsmore for respondent. Cause submitted.

Court adjourned.

DIVISION SIX

B154751 People (Not for Publication)  
v.  
Barron

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Coffee, J.

B160891 People (Not for Publication)  
v.  
Rankin-Griffin

The judgment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.  
Perren, J.

January 16, 2003 (Continued)

## DIVISION SIX (Continued)

B155746 People v. Stephenson (Not for Publication)

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.  
Coffee, J.

B160219 People (Not for Publication)  
v.  
Sanchez

The judgment (order imposing sex offender registration) is affirmed.

Yegan, J.

We concur: Gilbert, P.J.  
Perren, J.

B160027 People (Not for Publication)  
v.  
Jose R.

The judgment (order of commitment) is affirmed.

Coffee, J.

We concur: Gilbert, P.J.  
Yegan, J.

B162539 Elizabeth C. (Not for Publication)  
v.  
San Luis Obispo County Superior Court  
San Luis Obispo County Department of Social Services (r.p.i.)

The petition is denied.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.